

**Electronically Filed
Intermediate Court of Appeals
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NO. CAAP-22-0000532

IN THE INTERMEDIATE COURT OF APPEALS
OF THE STATE OF HAWAI'I

WILMINGTON SAVINGS FUND SOCIETY, FSB, as Owner Trustee of the
Residential Credit Opportunities Trust VI-A, Plaintiff-Appellee,
v.
WILLIAM HALEMANO FREDERICK, Defendant-Appellant,
and
UNITED GUARANTY RESIDENTIAL INSURANCE COMPANY OF NORTH CAROLINA;
FEDERAL HOME LOAN MORTGAGE CORPORATION, Defendants-Appellees,
and
DOES 1 through 20, Inclusive, Defendants

APPEAL FROM THE CIRCUIT COURT OF THE FIRST CIRCUIT
(CIVIL NO. 1CC171001439)

SUMMARY DISPOSITION ORDER

(By: Leonard, Acting Chief Judge, Nakasone and Guidry, JJ.)

This appeal arises out of an order confirming a
foreclosure sale. We affirm.

Self-represented Defendant-Appellant William Halemano
Frederick (**Frederick**) appeals from the Circuit Court of the

First Circuit's (**Circuit Court**)¹ August 7, 2022 "Order Approving Commissioner's Report and Granting [Plaintiff-Appellee MTGLQ Investors, L.P. (**MTGLQ**)]'s Motion for Confirmation of Foreclosure Sale, Allowance of Costs, Commissions and Fees, Distribution of Proceeds, Directing Conveyance and for Writ of Possession/Ejectments, Filed May 12, 2022" (**Confirmation Order**) and Judgment.

Frederick's Opening Brief is difficult to follow, does not contain points of error, and fails to comply with Hawai'i Rules of Appellate Procedure (**HRAP**) Rule 28 in multiple respects. See HRAP Rule 28 (b)(1), (b)(3), (b)(4), (b)(5), (b)(7), (b)(9). We liberally interpret pleadings prepared by self-represented parties to promote access to justice despite their non-compliance with court rules, to the extent their arguments can reasonably be discerned. See Erum v. Llego, 147 Hawai'i 368, 380-81, 465 P.3d 815, 827-28 (2020); Wagner v. World Botanical Gardens, Inc., 126 Hawai'i 190, 193, 268 P.3d 443, 446 (App. 2011). Frederick's Opening Brief, however, does not set forth discernible legal argument challenging the Confirmation Order or Judgment, and the arguments that are somewhat discernible are not supported by citations to relevant authority.

The record also reflects that Frederick did not file an opposition to MTGLQ's Motion to Confirm Sale, and his challenge on appeal to the Order Confirming Sale is waived. See Cnty. of Hawai'i v. C & J Coupe Fam. Ltd. P'ship, 119 Hawai'i 352, 373, 198 P.3d 615, 636 (2008) ("Generally, the failure to raise an issue at the trial level precludes a party from raising that issue on appeal." (citation omitted)).

¹ The Honorable Jeannette H. Castagnetti presided.

Further, to the extent that Frederick's Opening Brief purports to challenge the Circuit Court's July 19, 2023 order dismissing his June 2, 2022 "Bill of Complaint," Frederick did not give notice of such in his September 6, 2022 Notice of Appeal, and the Circuit Court's July 19, 2023 order and judgment granting MTGLQ's motion to dismiss are not included in the Record on Appeal. See HRAP Rule 3(c)(2) ("The notice of appeal shall designate the judgment, order, or part thereof and the court or agency appealed from."). This court also lacks jurisdiction to review the dismissal of the Bill of Complaint, which is not unique to the confirmation of sale proceeding. See HawaiiUSA Fed. Credit Union v. Monalim, 147 Hawai'i 33, 41, 464 P.3d 821, 829 (2020) (noting that an appeal under Hawaii Revised Statutes § 667-51(a)(2) (2016) from a Hawai'i Rules of Civil Procedure Rule 54(b) judgment on an order confirming a foreclosure sale brings up for review issues "'unique' to the confirmation of sale").

For the foregoing reasons, the Confirmation Order and Judgment, both filed and entered on August 7, 2022 by the Circuit Court of the First Circuit, are affirmed.

DATED: Honolulu, Hawai'i, May 23, 2025.

On the briefs:

William Halemano Frederick
Self-represented Defendant-
Appellant.

Justin S. Moyer,
for Plaintiff-Appellee.

/s/ Katherine G. Leonard
Acting Chief Judge

/s/ Karen T. Nakasone
Associate Judge

/s/ Kimberly T. Guidry
Associate Judge